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ECONOMIC AND ENVIRONMENTAL QUESTIONS:
SUSTAINABLE DEVELOPMENT

Letter dated 21 July 1995 from the Secretary-General of the International Maritime Organization addressed to the Secretary-General of the United Nations

The Economic and Social Council, in paragraph 3 of its resolution 1993/50 of 29 July 1993 on the work of the Committee of Experts on the Transport of Dangerous Goods, invited, inter alia, the specialized agencies to transmit to the Secretary-General of the United Nations their views on the work of the Committee, approved by the Committee for inclusion in its existing recommendations together with any comments they might wish to make on the amended recommendations.

In response to that invitation I wish to refer to the difficulties encountered by the International Maritime Organization in the implementation on a biennial basis of the numerous changes in the recommendations. As a consequence of these changes, bulky amendments to the IMO International Maritime Dangerous Goods (IMDG) Code become necessary, although it is generally recognized that their impact on safety is somewhat limited. The frequency of these changes undermines the credibility of the Code, as it is difficult for ships and ports to keep up with the ever-changing requirements and for the provisions of the Code to be enforced.

The problems associated with the frequent changes in the Code have been emphatically illustrated by random inspections of container cargoes in North European ports. I am advised that these have shown that, in some cases, dangerous goods are being carried under versions of the Code that date back a good many years. Another fact to be borne in mind is that nowadays a

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considerable proportion of the world fleet is registered in developing countries which find it even more difficult to keep abreast of the frequent changes.

The need to restrict amendments to IMO instruments has been a subject of consideration by this Organization for many years. A first attempt was the adoption by the IMO Assembly in 1981 of resolution A.500 (XII) in which the Assembly recommended that the Committee should entertain proposals for amendments only on the basis of a clear and well-documented demonstration of compelling need and having regard to the costs to the maritime industry and the burden on the legislative and administrative resources of member States. Further discussions on the subject have led to the decision that, in principle, amendments to IMO instruments should be adopted in periods of not less than four years, to give member Governments and the industry time to incorporate the provisions into their national legislation and to ensure that ships comply with any new measures.

I appreciate that industrial developments cannot be halted to accommodate the concerns I have mentioned above and that continuous updating of the rules might be necessary. However, I am also acutely conscious of the fact that unless the workload associated with amendments to instruments regulating the transport of dangerous goods is reduced to manageable proportions, our aims of increasing maritime safety and protection of the marine environment may be jeopardized.

I therefore seek your cooperation in conveying to the Economic and Social Council the request made by the Maritime Safety Committee (MSC), IMO's most senior technical body, at its sixty-fifth session (9-17 May 1995), that the publication cycle of the Recommendations on the Transport of Dangerous Goods be expanded from every two to every four years so as to enable the smooth and timely harmonization among the different modes of transport.

While the Committee of Experts did not support such a proposal at its eighteenth session in December 1994, the Committee stated that the question could be reconsidered in 1996. In this light, it is essential that the Economic and Social Council be apprised of the concerns of IMO and the recommendation of MSC. I should therefore be most grateful if you would bring the IMO position to the attention of the Council and, in due course, inform me of any decision made in this respect.

(Signed) W. A. O'NEIL
Secretary-General